

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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| IN THE MATTER OF TENTATIVE | : | |
| DECISION TO APPROVE A REVISED | : | |
| LARGE MINING AND RECLAMATION | : | NOTICE OF TENTATIVE |
| PLAN FOR ASH GROVE CEMENT | : | DECISION TO APPROVE |
| COMPANY'S NIELSON SANDSTONE | : | |
| MINE, JUAB COUNTY, UTAH | : | NO. M/023/012 |

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS
INTERESTED IN SECTIONS 1, 11 AND 12, TOWNSHIP 14 SOUTH, RANGE 3 WEST,
SLBM, JUAB COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention to Revise Operations for Ash Grove Cement Company's Nielsen Sandstone Mine. Mining activities will affect the following area: SW1/4 of SW1/4 of Section 1, E½ Section 11, and the NW1/4 of NW1/4 of Section 12, Township 14 South, Range 3 West, SLBM, Juab County, Utah.

Ash Grove Cement Company has submitted a permit application to expand their existing large mining project. Reclamation surety will be increased and provided to the Division for the proposed project disturbance. The operator will employ the following mining and reclamation techniques on approximately 132 acres of federal, and state land.

During Operations: The Nielson Sandstone mine began operation in 1987 and has operated as a conventional, single bench, open pit mine. The proposed expansion of the Pit 1 will continue to be mined using a single bench approach. As a new pit area is disturbed, soils will be pre-stripped and stockpiled for reclamation. When the pit limits are reached, the pit will be graded and reclaimed. Pit 2 will be mined in a similar manner, but as a repeated single bench operation. Mining of a single level will be completed before the next level is developed.

After Operations: As a mining phase is completed, the mine phase will be contemporaneously reclaimed to meet the post-mining land use. At the completion of all mining, the site will blend into the surrounding topography. The final mine slopes will be reclaimed at a 3H:1V slope. The pit bottoms will be sub-drilled, ripped and recontoured, then the previously stripped soil will be redistributed on these areas.

All roads within the pit areas will be reclaimed following mining. Some roadways in the mine area will remain following mining to provide access to BLM grazing land north of the mine and to allow periodic inspection of the site to evaluate revegetation success.


The mined area will be graded to approximate final contours, then reclaimed using state-of-the-art surface roughening and revegetation techniques. All seeding will take place during the fall of the year that reclamation is performed.

The person representing the company is Mr. Duane Crutchfield; Phone (435) 857-1212. Ash Grove Cement Company is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 3rd day of October, 2003

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



Lowell P. Braxton
Director

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Revision to the Large Mining Notice of Intention for Ash Grove Cement Company's Nielson Sandstone Mine project, M/023/012 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 6th day of October, 2003 to:

FACSIMILE: 237-2776 and
E-MAIL: naclegal@nacorp.com
Salt Lake Tribune
Advertising Department
116 Regent Street
P.O. Box 45838
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E-MAIL: artcity@avpro.com
Eureka Reporter
Legal Advertising
161 South Main Street
Springville, Utah 84663-1850

CERTIFIED RETURN RECEIPT
7099 3400 0016 8896 3472
Duane Crutchfield
Ash Grove Cement Company
P.O. Box 51
Nephi, Utah 84648

Glenn Greenhalgh
Juab County Planning and Zoning
160 North Main
Nephi, Utah 84648

Rex Rowley
Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, Utah 84631

Will Stokes
School and Institutional Trust Lands
Administration
675 East 500 South, Suite 500
Salt Lake City, Utah 84102


Joelle Burns, Secretary